GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

EFS&T Department- Diversion of 4.90 Ha. of forest land in compartment No. 233 & 234 of Santhapeta Reserve Forest for quarry lease of Black granite, in favour of M/s Sri Jayashree Industries, Prop: A.M. Vinod, Chittoor Town, Andhra Pradesh - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 32 **Dated: 19-05-2017**

Read the following:-

1. From PCCF& HoFF, AP, Lr Rc.No.13925/2009/FCA2, Dated.24-7-2014.
2. State Govt. Lr.No.4709/Section-II/2014, Dt.3-9-2014.
3. From GoI, MoEF& C.C, Lr.No. 4-APB004/2014-CHN/175, Dt.1-6-2015.
4. State Govt. Lr.No.4709/Section-II/2014, Dt.10-02-2017.
5. From GoI, MoEF& C.C, Lr.No. 4-APB004/2014-CHN/0540, Dt.6-4-2017.

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 4.90 Ha. of forest land in compartment No. 233 & 234 of Santhapeta Reserve Forest for quarry lease of Black granite, in favour of M/s Sri Jayashree Industries, Prop: A.M. Vinod, Chittoor Town, Andhra Pradesh and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein. Accordingly, the State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in-principle (Stage-I) approval.

4. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 5th read above, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 4.90 Ha. of forest land in compartment No. 233 & 234 of Santhapeta Reserve Forest for quarry lease of Black granite, in favour of M/s Sri Jayashree Industries, Prop: A.M. Vinod, Chittoor Town, Andhra Pradesh, subject to compliance of certain conditions as stipulated therein.

5. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 4.90 Ha. of forest land in compartment No. 233 & 234 of Santhapeta Reserve Forest for quarry lease of Black granite, in favour of M/s Sri Jayashree Industries, Prop: A.M. Vinod, Chittoor Town, Andhra Pradesh, subject to the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged.

ii. Compensatory Afforestation over the non-forest land equal in extent to the area of forest land proposed to be diverted in favour of the user agency (excluding the area of forest land falling in safety zone of the mining lease) shall be raised and maintained by the State Forest Department from the funds provided by the User Agency.

(Contd-2)

iii. Non-forest land which is transferred and mutated in favour of the State Forest Department for the purpose of compensatory afforestation, shall be declared as Reserved Forest under Section -4 or Protected Forest under Section-29 of the Indian Forest Act,1927 or under the relevant Section (s) of the local Forest Act. The Nodal Officer must report compliance within a period of 6 months from the date of grant of final approval and send a copy of the original notification declaring the non-forest land under Section-4 or Section 29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be, to the MoEF&C.C for information and record;

iv. Following activities shall be undertaken by the User Agency at the project cost:-

a) A plan containing appropriate mitigative measures to minimize soil erosion and choking of streams shall be prepared and implemented;

b) Planting of adequate drought hardy plant species and sowing of seeds in the appropriate area within the mining lease to arrest soil erosion;

c) Construction of check dams, retention / toe walls to arrest sliding down of the excavated material along the contour;

d) Stabilize the overburden dumps by appropriate grading/ benching so as to ensure that angles of repose at any given place is less than 28˚ and

e) Strict adherence to the prescribed top soil management.

v. User Agency in consultation with the State Forest Department shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco–friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.

vi. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency.

vii. User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986;

viii. User Agency shall ensure demarcation of boundary of safety zone (7.5 meter strip all along the outer boundary of the mining lease area), and its protection by erecting adequate number of 4 feet high RCC boundary pillars inscribed with DGPS coordinates and deploying adequate number of watchers under the supervision of the State Forest Department;

ix. In case of the mining leases adjoining the habitation stretch of the boundary of the safety zone of the lease adjacent to the habitation/ roads should be properly fenced by the User Agency at the project cost to protect the vegetation/ regeneration activities in the safety zone.

x. Safety zone shall be maintained as green belt around the mining lease and to ensure dense canopy cover area, regeneration shall be taken in this area by the User Agency at the project cost under the supervision of the State Forest Department;

xi. Afforestation on degraded forest land, to be selected elsewhere measuring one and half times the area of forest land under safety zone shall also be done by the User Agency at the project cost under the supervision of the State Forest Department;

(Contd-3)

xii. As the mining area is located on the hill-top, there is very possibility of spilling over of dug-up earth outside the proposed forest area for diversion. In order to arrest the same User Agency shall construct 1.00 meter high retention wall along the periphery of the proposed diverted area from the beginning of the working of the mine at the project cost.

xiii. The excavated earth and dump material may also be staggered gradient wise by constructing retention wall of appropriate height depending up on the slope of the area in a ladder like fashion and plant the areas to facilitate concurrent reclamation of the mining area. This work shall be taken up by the User Agency at their own cost.

xiv. The surrounding Forest area shall be protected and rehabilitated as per the detail plan prepared by the Divisional Forest Officer Concerned.

xv. Period of diversion of the said forest land under this approval shall be for a period of 10 (ten) years or for a period co-terminus with the period of the mining lease proposed to be granted under the Mines and Minerals (Development and Regulation) Amendment Act, 2015, or Rules framed there under but not exceeding 10 (ten) years whichever is earlier.

xvi. User Agency either himself or through the State Forest Department shall undertake gap planting and soil & moisture conservation activities to restock and rejuvenate the degraded open forest (having crown density less than 0.4), if any, located in the area within 100 meter from outer perimeter of the mining lease;

xvii. User Agency shall undertake mining in a phased manner and take due care for reclamation of the mined over area. The concurred reclamation plan shall be executed by the User Agency as per the approved mining plan/scheme and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980 Government of Andhra Pradesh and the Addl. Principal Chief Conservator of Forests (Central), Ministry of Environment & Forests, Regional Office (Southern Zone), Chennai. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the Addl. Principal Chief Conservator of Forests (Central) may direct that the mining activities shall remain suspended till such time, such reclamation activities are satisfactorily executed;

xviii. No labour camp shall be established on the Forest land;

xix. User Agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

xx. Boundary of mining lease and safety zone shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;

xxi. Forest land shall not be used for any purpose other than that specified in the proposal;

xxii. User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

(Contd-4)

xxiii. Any other conditions that the Central Government or Addl. Principal Chief Conservator of Forests (Central) of Regional Office, Chennai may impose from time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency.

xxiv. In the event of failure to comply with any of the above conditions the User Agency is liable to pay penalty as decided by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Chennai.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.ANANTHA RAMU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:
The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

M/s Sri Jayasree Industries,
Prop: A..M Vinod, 4-483, C.B Road, Greamspet, Chittoor Town

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER